

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARWYN LEWIS,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

No. 1:20-cv-00693-NONE-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. Nos. 6 & 10)

Plaintiff, Darwyn Lewis (“plaintiff”), proceeding *pro se* and *in forma pauperis*, filed the complaint initiating this action on May 18, 2020. (Doc No. 1.) Plaintiff then filed a motion for injunctive relief on June 23, 2020. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 21, 2020, the assigned magistrate judge entered findings and recommendations, recommending that plaintiff’s motion for injunctive relief be denied without prejudice. (Doc No. 10 at 3). In his motion, plaintiff requests that USP Atwater, the institution where he is presently incarcerated, take pictures of his skin and draw his blood to “show proof” that his skin is being discolored by contaminated water at USP Atwater. (Doc. No. 6.) The magistrate judge reasoned that because plaintiff’s complaint had not yet been screened, no defendants had yet been served, and the relief sought was essentially directed at gathering evidence in support of his claims, plaintiff’s request for injunctive relief must be denied. (Doc. No. 10 at 2-3.)

1 Plaintiff was provided an opportunity to file objections to the findings and
2 recommendations. Plaintiff filed objections on September 3, 2020. The objections do not
3 materially address the magistrate judge's reasoning.

4 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
5 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the
6 court finds the findings and recommendations to be supported by the record and proper analysis.

7 Accordingly,

- 8 1. The findings and recommendations issued on August 21, 2020 (Doc. No. 10), are
9 ADOPTED IN FULL;
- 10 2. Plaintiff's motion for injunctive relief (Doc. No. 6) is DENIED, without prejudice;
11 and
- 12 3. This matter is referred back to the magistrate judge for further proceedings.

13 IT IS SO ORDERED.

14 Dated: September 26, 2020


UNITED STATES DISTRICT JUDGE